

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 213 be amended to read as follows:

- 1 Page 1, line 11, after "works." insert "**A civil action authorized by**
- 2 **this subsection may be filed on the small claims docket of a court**
- 3 **that has jurisdiction.**".
- 4 Page 1, line 15, after "district." insert "**If the water utility**
- 5 **providing water service to a delinquent user is not owned or**
- 6 **operated by the district, the district is liable to the water utility for**
- 7 **any costs incurred by the water utility to:**
- 8 **(1) discontinue water service under this subsection; and**
- 9 **(2) reestablish water service after the user has paid the**
- 10 **delinquent amount or otherwise resolved the charges with the**
- 11 **district.**".
- 12 Page 2, line 3, delete "that water service may be disconnected if the
- 13 user" and insert "**that:**
- 14 **(A) water service may be disconnected;**
- 15 **(B) the board may bring a civil action to recover the**
- 16 **amount due, together with any penalty and a reasonable**
- 17 **attorney's fee; or**
- 18 **(C) both of the actions described in clauses (A) and (B)**
- 19 **may be taken;**
- 20 **if the user continues not to pay the delinquency and any**
- 21 **penalty; and"**.
- 22 Page 2, delete line 4.
- 23 Page 2, line 12, delete "If the user fails to pay the delinquent amount
- 24 or otherwise" and insert "**If:**

- 1 **(1) the user fails to pay the delinquent amount or otherwise**
2 **fails to resolve the charges as specified under subsection (d);**
3 **and**
4 **(2) the board opts to require that a water utility providing**
5 **water service to the user discontinue water service to the user,**
6 **as authorized by subsection (c);**
7 **the".**
8 Page 2, delete line 13.
9 Page 2, run in lines 12 through 14.
10 Page 2, line 41, before "IC 13-26-11-14.4(g)" insert "**Sec. 51.9.**".
 (Reference is to ESB 213 as printed February 15, 2008.)

Representative Wolkins